

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

FREDERICK H. BANKS

Criminal No. 15-168

JOINT STATUS REPORT

AND NOW comes the United States of America, by its attorneys, David J. Hickton, United States Attorney for the Western District of Pennsylvania, Robert S. Cessar, Assistant United States Attorney for said district, and Adrian N. Roe, Esquire, counsel for defendant, and provides the following notice:

1. The government anticipates that it will obtain a superseding indictment in this case, which will include mail, bank and wire fraud charges, in December 2015.

2. The government will provide all Rule 16 material to defense counsel in paper form on or before November 20, 2015.

3. Counsel for Defendant has been in regular communication with Dr. Robert Wettstein who has been appointed by the Court to evaluate Defendant for competency. Pursuant to the Court's orders and directives, Counsel has provided Dr. Wettstein with all *pro se* filings by Mr. Banks in this case to date and in the other matters identified by the Court.

4. Counsel for Defendant spoke with Dr. Wettstein on the evening of November 17, 2015. Dr. Wettstein advised that he has met twice with Mr. Banks (one meeting included both Defendant

and Counsel for Defendant). Dr. Wettstein further reports that he needs to meet with Defendant at least once and possibly twice more before issuing a final report and that he is doing his best to complete those meetings expeditiously subject to the other demands of his personal and professional schedule. Dr. Wettstein further advises that this is a complicated case and it will require further work and review of all court filings before he can reach a final opinion as to competency.

5. Counsel for Defendant has provided a written assessment of the case to Defendant and made certain recommendations. However, there has been a complete breakdown in communication with the client as reflected in Defendant's repeated *pro se* filings and publicly-filed accusations of ineffective assistance of counsel. If Defendant is deemed to be competent, Counsel for Defendant anticipates filing a motion for leave to withdraw.

Respectfully submitted,

DAVID J. HICKTON  
United States Attorney

s/Robert S. Cessar  
ROBERT S. CESSAR  
Assistant U.S. Attorney  
PA ID No. 47736

s/Adrian N. Roe  
ADRIAN N. ROE  
Counsel for Defendant,  
Frederick H. Banks  
PA ID No. 61391